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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DOUGLAS VERNON HUDSON,

11 Plaintiff,

12 v.

13 CHARLES W. SCHARF, et al.,

14 Defendants.

CASE NO. C21-5827JLR

ORDER

15 Before the court is Defendant Charles W. Scharf's motion for relief from its
16 March 28, 2022 deadline for responding to Plaintiff Douglas Vernon Hudson's amended
17 complaint. (Mot. (Dkt. # 36).) Mr. Scharf requests an eleven-day extension to April 8,
18 2022 to respond to Mr. Hudson's amended complaint. (*Id.* at 3.)

19 Federal Rule of Civil Procedure 6 allows the court to extend a deadline for good
20 cause shown and to do so "without motion or notice if the court acts, or if a request is
21 made, before the original time or its extension expires." Fed. R. Civ. P. 6(b)(1)(A). In
22 the event of an "unforeseen emergency . . . that prevents a party from meeting a

1 deadline,” the local rules direct the party in need of an extension to contact their opposing
2 counsel, “meet and confer regarding an extension, and file a stipulation and proposed
3 order with the court.” Local Rules W.D. Wash. LCR 7(j). The court expects that “the
4 parties will stipulate to an extension” in the event of such an unforeseen emergency. (*See*
5 *id.*)

6 This is Mr. Scharf’s second request for an extension of his deadline to respond to
7 Mr. Hudson’s amended complaint. (*See* 3/1/22 Order (Dkt. # 28) at 3 (extending Mr.
8 Scharf’s deadline to March 28, 2022).) Counsel for Mr. Scharf represents that good
9 cause for this extension exists because: (1) his counsel experienced computer issues on
10 March 28, 2022, which resulted in the loss of his responsive pleading; and (2) the
11 requested extension will not interfere with other existing case deadlines or obligations.
12 (*See* Mot. at 2.) Mr. Scharf’s counsel does not indicate whether she conferred with Mr.
13 Hudson about a stipulation before filing the instant motion, which is noted for April 8,
14 2022. (*See generally* Mot.) The court expects that the parties will attempt to reach a
15 stipulation on last-minute extension requests of this type before seeking relief through an
16 adversarial motion. *See* Local Rules W.D. Wash. LCR 7(j) (noting the court’s
17 expectation that parties will stipulate to reasonable requests for extensions necessitated
18 by unforeseen events).

19 Nevertheless, the court finds that good cause exists here for a one-week extension
20 to Mr. Scharf’s deadline for responding to the complaint.¹ Moreover, because Mr. Scharf

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22 ¹ Although Mr. Scharf seeks an extension to April 8, 2022, he also indicated in his
motion that “an additional week to respond” would be sufficient. (*See* Mot. at 1.)

1 requested an extension before the March 28, 2022 deadline expired, the court need not
2 wait for a response from Mr. Hudson. *See* Fed. R. Civ. P. 6(b)(1)(A). Mr. Hudson will
3 not suffer prejudice from the motion being decided before it notes or by the court
4 allowing Mr. Scharf a further, short extension.

5 Accordingly, the court GRANTS Mr. Scharf's motion for an extension
6 (Dkt. # 28). Mr. Scharf must respond to Mr. Hudson's amended complaint by **April 4,**
7 **2022.** The court is unlikely to grant further extension requests.

8 Dated this 29th day of March, 2022.

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11 JAMES L. ROBART
12 United States District Judge
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